



United States Department of Agriculture

United States
Department of
Agriculture

Office of the Chief
Information Officer

1400 Independence
Avenue SW
Washington, DC
20250

May 1, 2019

Delivered via Electronic Mail

Austin Evers
1030 15th Street, N.W.
Suite B255
Washington, D.C. 20005
Email: foia@americanoversight.org

**RE: Freedom of Information Act (FOIA) Request 2019-DA-01672-F
Interim Response**

Dear Mr. Evers:

This is the first interim response to the January 25, 2019, Freedom of Information Act (FOIA) request submitted to the U.S. Department of Agriculture (USDA), Departmental FOIA Office (DFO). The request seeks the following records:

I. All email communications (including emails, email attachments, and calendar invitations) with Congressman Steve King or any staffer or representative of Congressman King including, but not limited to, all communications with the following email addresses:

- a. steve.king@mail.house.gov,
- b. hunter.king@mail.house.gov,
- c. sarah.stevens@mail.house.gov,
- d. suanne.edmiston@mail.house.gov,
- e. john.kennedy@mail.house.gov
- f. joe.barry@mail.house.gov,
- g. jared.culver@mail.house.gov

II. To and from the following agency custodians

- a. From the Office of the Secretary:
 - i. the Secretary,
 - ii. the Deputy Secretary,
 - iii. the Chiefs of Staff to the foregoing officials,
 - iv. anyone performing these functions in an acting capacity, and anyone acting on their behalves, such as an executive assistant or scheduler
- b. From the Office of Congressional Relations:
 - i. the Assistant Secretary,

- ii. the Chiefs of Staff to the Assistant Secretary,
 - iii. anyone performing these functions in an acting capacity, and anyone acting on their behalves, such as an executive assistant or scheduler.
- c. From the Office of the Undersecretary of Food, Nutrition, and Consumer Services:
 - i. Maggie Lyons, Chief of Staff and Adviser.

The request guidance indicates these records are sought “in an effort to shed light on whether the hardline immigration views of Congressman King have influenced Trump administration immigration policy, and the extent of agency communications with Mr. King and his staff.”

Your request is being processed under the FOIA, 5 U.S.C. § 552.

A search for responsive records was conducted by the Office of the Chief Information Officer’s (OCIO) telecommunications provider, the Client Experience Center (CEC). This provider performs network services for OCIO, including electronic messaging operations, blackberry, mobile device management (MDM), file and print, remote access, voice, network, service desk, and other application services. This interim response includes fifty (50) pages of records that are responsive to your request.

Following a review of the responsive records, the DFO has determined that certain information contained therein should be withheld pursuant to 5 U.S.C. § 552(b)(6) (FOIA Exemption 6). Below is an explanation of the information that has been withheld.

FOIA Exemption 6

Exemption 6 generally is referred to as the “personal privacy” exemption. It provides that the disclosure requirements of the FOIA do not apply to “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” Application of the exemption involves balancing the public’s interest in disclosure against individuals’ privacy interests.

The information withheld under Exemption 6 consists of individuals’ mobile telephone numbers and conference call numbers and codes. This information qualifies as “similar files” because it is information in which individuals have a privacy interest. Releasing mobile telephone and conference call numbers could subject individuals to unwarranted or unsolicited communications, or even harassment. Furthermore, there is no connection between this information and the operations of the federal government. Since there is a viable privacy interest that would be threatened by disclosure, Exemption 6 authorizes this office to withhold the information. Accordingly, we have determined that the public

Austin Evers
FOIA Case No. 2019-DA-01672-F

interest in the information's release does not outweigh the overriding privacy interests in keeping it confidential.

The DFO will continue processing your FOIA request. Upon issuance of a final response, you will be advised of your right to appeal the DFO's final determinations.

If you have any questions regarding this letter, please contact Mr. Randolph Ballard at 202-205-9548 or electronically at randolph.ballard@usda.gov or USDAFOIA@ocio.usda.gov.

You may seek dispute resolution services from the DFO's FOIA Public Liaison, Ms. Ravoyne Payton at USDAFOIA@ocio.usda.gov.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

The DFO Team appreciates the opportunity to assist you in this matter.

Sincerely,

Alexis R. Graves
Departmental FOIA Officer
Office of the Chief Information Officer

Enclosures: Responsive Records (50 pages)

From: [Edmiston, Suanne](#)
To: ["Tkacz, Kailee - OSEC, Washington, DC"](#); [Bachmann, Peter - OSEC Washington, DC](#)
Cc: [Hall, Christopher](#)
Subject: RE: Ag Education Information
Date: Monday, January 28, 2019 7:17:25 PM

Thank you, Kailee!

Suanne

From: Tkacz, Kailee - OSEC, Washington, DC <Kailee.Tkacz@osec.usda.gov>
Sent: Monday, January 28, 2019 7:05 PM
To: Edmiston, Suanne <Suanne.Edmiston@mail.house.gov>; Bachmann, Peter - OSEC Washington, DC <Peter.Bachmann@osec.usda.gov>
Cc: Hall, Christopher <Christopher.Hall@mail.house.gov>
Subject: RE: Ag Education Information

And I haven't forgotten about you Suanne-NIFA is compiling the information they have in regards to this request and I should have more to share by tomorrow afternoon.

Thanks for your patience as we get back up and running.
Kailee

From: Edmiston, Suanne <Suanne.Edmiston@mail.house.gov>
Sent: Monday, January 28, 2019 6:59 PM
To: Bachmann, Peter - OSEC Washington, DC <Peter.Bachmann@osec.usda.gov>
Cc: Hall, Christopher <Christopher.Hall@mail.house.gov>; Tkacz, Kailee - OSEC, Washington, DC <Kailee.Tkacz@osec.usda.gov>
Subject: RE: Ag Education Information

Hello Peter,

Thank you for the response!

Suanne

From: Bachmann, Peter - OSEC Washington, DC <Peter.Bachmann@osec.usda.gov>
Sent: Friday, January 25, 2019 3:16 PM
To: Edmiston, Suanne <Suanne.Edmiston@mail.house.gov>
Cc: Hall, Christopher <Christopher.Hall@mail.house.gov>; Tkacz, Kailee - OSEC, Washington, DC <Kailee.Tkacz@osec.usda.gov>
Subject: RE: Ag Education Information

Hi Suanne,

This type of question has come up before and I'm fairly certain that we do not have a good,

centrally-located data bank with this information. I have copied our Research, Education, and Economics Mission Area's CoS, Kailee Tkacz, who may have that information, but I do want to warn you that it's unlikely we do.

Peter

From: Edmiston, Suanne <Suanne.Edmiston@mail.house.gov>
Sent: Friday, January 25, 2019 1:39 PM
To: Bachmann, Peter - OSEC Washington, DC <Peter.Bachmann@osec.usda.gov>
Cc: Hall, Christopher <Christopher.Hall@mail.house.gov>
Subject: Ag Education Information

Hi Peter,

I hope you are doing well and surviving the shutdown! I know this information may be difficult to track down given the current situation, but do you know if USDA compiles information on the number of graduates annually earn agriculture-related degrees and the number of jobs open annually in the ag sector?

Please let me know if you have questions or need additional information.

Sincerely,

Suanne

Suanne Edmiston
Legislative Director
Office of Congressman Steve King (IA-04)
(202) 225 - 4426

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [Edmiston, Suanne](#)
To: ["Brock.Densel@osec.usda.gov"](mailto:Brock.Densel@osec.usda.gov)
Cc: [Cretsinger, Wiltzie](#)
Subject: Letter of Recommendation - Mr. Jerry Maier
Date: Monday, August 13, 2018 5:54:50 PM

Hello,

Please find a letter of recommendation in support of Mr. Jerry Maier's application to the USDA's National Agricultural Research, Extension, Education and Economics (NAREEE) Advisory Board for the open National Farm Organization (Category A) position.

Please let me know if you have questions, or need additional information.

Thanks,

Suanne

Suanne Edmiston
Legislative Director
Office of Congressman Steve King (IA-04)
(202) 225 - 4426

From: [Edmiston, Suanne](#)
To: ["Brock.Densel@osec.usda.gov"](mailto:Brock.Densel@osec.usda.gov)
Cc: [Cretsinger, Wiltzie](#)
Subject: Letter of Recommendation - Mr. Jerry Maier
Date: Monday, August 13, 2018 5:54:52 PM

Hello,

Please find a letter of recommendation in support of Mr. Jerry Maier's application to the USDA's National Agricultural Research, Extension, Education and Economics (NAREEE) Advisory Board for the open National Farm Organization (Category A) position.

Please let me know if you have questions, or need additional information.

Thanks,

Suanne

Suanne Edmiston
Legislative Director
Office of Congressman Steve King (IA-04)
(202) 225 - 4426

From: [Edmiston, Suanne](#)
To: ["Bachmann, Peter - OCR, Washington, DC"](#)
Subject: RE: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation
Date: Wednesday, August 29, 2018 6:43:51 PM

Hi Peter,

I was hoping you could help me with two questions regarding the announcement.

First, will contract feeders be included and eligible for assistance?

Second, how will those whose crops have been devastated by natural disasters this year be handled? We had one gentleman reach out because his cropland has been severely flooded, so he won't have much to base 2018 production off of?

Any help you can offer is appreciated. Please let me know if there is someone else I should reach out to.

Thank you,

Suanne

Suanne Edmiston
Legislative Director
Office of Congressman Steve King (IA-04)
(202) 225 - 4426

From: Bachmann, Peter - OCR, Washington, DC [mailto:Peter.Bachmann@osec.usda.gov]
Sent: Monday, August 27, 2018 2:19 PM
Cc: Barbic, Ken - OSEC, Washington, DC
Subject: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation

Good afternoon,

As you've probably heard, USDA is moving forward with rollout of additional details regarding agricultural trade mitigation for farmers and ranchers. USDA will be hosting a call today at 5:30 PM ET with the opportunity for moderated Q&A with our in-house experts.

Who: USDA Call with House and Senate Agricultural Staffers
What: Discussion of USDA Trade Mitigation Package Details
When: 5:30 PM ET TODAY

In order to access the conference as a participant, dial the number below and enter the Participant Code:

Participant Dial-In: (b) (6)

USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation

(Washington, D.C., August 27, 2018) – U.S. Secretary of Agriculture Sonny Perdue today announced details regarding actions the U.S. Department of Agriculture (USDA) will take to assist farmers in response to trade damage from unjustified retaliation by foreign nations. President Donald J. Trump directed Secretary Perdue to craft a short-term relief strategy to protect agricultural producers while the Administration works on free, fair, and reciprocal trade deals to open more markets in the long run to help American farmers compete globally. As [announced last month](#), USDA will authorize up to \$12 billion in programs, consistent with our World Trade Organization obligations.

“Early on, the President instructed me, as Secretary of Agriculture, to make sure our farmers did not bear the brunt of unfair retaliatory tariffs. After careful analysis by our team at USDA, we have formulated our strategy to mitigate the trade damages sustained by our farmers. Our farmers work hard, and are the most productive in the world, and we aim to protect them,” said Secretary Perdue.

These programs will assist agricultural producers to meet the costs of disrupted markets:

- USDA’s Farm Service Agency (FSA) will administer the Market Facilitation Program (MFP) to provide payments to corn, cotton, dairy, hog, sorghum, soybean and wheat producers starting September 4, 2018. This is the first payment period. The second payment period, if warranted, will be determined by USDA.
- USDA’s Agricultural Marketing Service (AMS) will administer a Food Purchase and Distribution Program to purchase up to \$1.2 billion in commodities unfairly targeted by unjustified retaliation. USDA’s Food and Nutrition Service (FNS) will distribute these commodities through nutrition assistance programs such as The Emergency Food Assistance Program (TEFAP) and child nutrition programs.
- Through the Foreign Agricultural Service’s (FAS) Agricultural Trade Promotion Program (ATP), \$200 million will be made available to develop foreign markets for U.S. agricultural products. The program will help U.S. agricultural exporters identify and access new markets and help mitigate the adverse effects of other countries’ restrictions.

“President Trump has been standing up to China and other nations, sending the clear message that the United States will no longer tolerate their unfair trade practices, which include non-tariff trade barriers and the theft of intellectual property. In short, the President has taken action to benefit all sectors of the American economy – including agriculture – in the long run,” **said Secretary Perdue**. “It’s important to note all of this could go away tomorrow, if China and the other nations simply correct their behavior. But in the meantime, the programs we are announcing today buys time for the President to strike long-lasting trade deals to benefit our entire economy.”

Background on Market Facilitation Program:

MFP is established under the statutory authority of the Commodity Credit Corporation (CCC) and administered by FSA. For each commodity covered, the payment rate will be dependent upon the severity of the trade disruption and the period of adjustment to new trade patterns, based on each producer’s actual production.

Interested producers can apply after harvest is 100 percent complete and they can report their total 2018 production. Beginning September 4th of this year, MFP applications will be available online at www.farmers.gov/MFP. Producers will also be able to submit their MFP applications in person, by email, fax, or by mail.

Eligible applicants must have an ownership interest in the commodity, be actively engaged in

farming, and have an average adjusted gross income (AGI) for tax years 2014, 2015, and 2016 of less than \$900,000. Applicants must also comply with the provisions of the “Highly Erodible Land and Wetland Conservation” regulations. On September 4, 2018, the first of two MFP payment periods will begin. The second payment period, if warranted, will be determined by the CCC.

Market Facilitation Program

Commodity	Initial Payment Rate	Est. Initial Payment** (in \$1,000s)
Cotton	\$0.06 / lb.	\$276,900
Corn	\$0.01 / bu.	\$96,000
Dairy (milk)	\$0.12 / cwt.	\$127,400
Pork (hogs)	\$8.00 / head	\$290,300
Soybeans	\$1.65 / bu.	\$3,629,700
Sorghum	\$0.86 / bu.	\$156,800
Wheat	\$0.14 / bu.	\$119,200
Total		\$4,696,300

** Initial payment rate on 50% of production

The initial MFP payment will be calculated by multiplying 50 percent of the producer’s total 2018 actual production by the applicable MFP rate. If CCC announces a second MFP payment period, the remaining 50 percent of the producer’s total 2018 actual production will be subject to the second MFP payment rate.

MFP payments are capped per person or legal entity at a combined \$125,000 for dairy production or hogs. Payment for dairy production is based off the historical production reported for the Margin Protection Program for Dairy (MPP-Dairy). For existing dairy operations, the production history is established using the highest annual milk production marketed during the full calendar years of 2011, 2012, and 2013. Dairy operations are also required to have been in operation on June 1, 2018 to be eligible for payments. Payment for hog operations will be based off the total number of head of live hogs owned on August 1, 2018.

MFP payments are also capped per person or legal entity at a combined \$125,000 for corn, cotton, sorghum, soybeans and wheat.

For more information on the MFP visit www.farmers.gov/MFP or contact your local FSA office, which can be found at www.farmers.gov.

Background on Food Purchase and Distribution Program:

The amounts of commodities to be purchased are based on an economic analysis of the damage caused by unjustified tariffs imposed on the crops listed below. Their damages will be adjusted based on several factors and spread over several months in response to orders placed by states participating in the FNS nutrition assistance programs.

Food Purchases

Commodity	Target Amount (in \$1,000s)
Apples	\$93,400
Apricots	\$200
Beef	\$14,800
Blueberries	\$1,700
Cranberries	\$32,800

Dairy	\$84,900
Figs	\$15
Grapefruit	\$700
Grapes	\$48,200
Hazelnuts	\$2,100
Kidney Beans	\$14,200
Lemons/Limes	\$3,400
Lentils	\$1,800
Macadamia	\$7,700
Navy Beans	\$18,000
Oranges (Fresh)	\$55,600
Orange Juice	\$24,000
Peanut Butter	\$12,300
Pears	\$1,400
Peas	\$11,800
Pecans	\$16,000
Pistachios	\$85,200
Plums/Prunes	\$18,700
Pork	\$558,800
Potatoes	\$44,500
Rice	\$48,100
Strawberries	\$1,500
Sweet Corn	\$2,400
Walnuts	\$34,600
Total	\$1,238,800

Program details yet to be determined

Commodity	Target Amount (in \$1,000s)
Almonds	\$63,300
Sweet Cherries	\$111,500
Total	\$174,800

Products purchased will be distributed by FNS to participating states, for use in TEFAP and other USDA nutrition assistance programs.

Purchasing:

AMS will buy affected products in four phases. The materials purchased can be adjusted between phases to accommodate changes due to: growing conditions; product availability; market conditions; trade negotiation status; and program capacity.

AMS will purchase known commodities first. By purchasing in phases, procurements for commodities that have been sourced in the past can be purchased more quickly and included in the first phase.

Vendor Outreach:

To expand the AMS vendor pool and the ability to purchase new and existing products, AMS will ramp up its vendor outreach and registration efforts. AMS has also developed flyers on how the process works and how to become a vendor for distribution to industry groups and

interested parties. Additionally, AMS will continue to host a series of free webinars describing the steps required to become a vendor. Stakeholders will have the opportunity to submit questions to be answered during the webinar, or to be included in a Frequently Asked Questions document. Recorded webinars are available to review by potential vendors, and staff will host periodic Question and Answer teleconferences to better explain the process.

Product Specifications:

AMS maintains purchase specifications for a variety of commodities, which ensure recipients receive the high-quality product they expect. AMS in collaboration with FNS regularly develops and revises specifications for new and enhanced products based on program requirements and requests and will be prioritizing the development of those products impacted by unjustified retaliation. AMS will also work with industry groups to identify varieties and grades sold to China and other offshore markets such as premium apples, oranges, pears and other products. AMS will develop or revise specifications to facilitate the purchase of these premium varieties in forms that meet the needs of FNS nutrition assistance programs.

Outlets:

AMS purchases commodities for use in FNS programs such as the National School Lunch Program, TEFAP and other nutrition assistance programs. AMS is working closely with FNS to distribute products to State Agencies that participate in USDA nutrition assistance programs as well as exploring other outlets for distribution of products, as needed.

To the extent possible, FNS will identify items for distribution that are appropriate for each potential outlet. The products discussed in this plan will be distributed to States for use in the network of food banks and food pantries that participate in TEFAP, elderly feeding programs such the Commodity Supplemental Foods Program, and tribes that operate the Food Distribution Program on Indian Reservations.

These outlets are in addition to child nutrition programs such as the National School Lunch Program, which may also benefit from these purchases.

Distribution:

AMS has coordinated with the Office of the Chief Economist, FNS, Industry, and other agency partners to determine necessary logistics for the purchase and distribution of each commodity including trucking, inspection and audit requirements, and agency staffing.

Background on Agricultural Trade Promotion Program:

The FAS will administer the ATP under authorities of the CCC. The ATP will provide cost-share assistance to eligible U.S. organizations for activities such as consumer advertising, public relations, point-of-sale demonstrations, participation in trade fairs and exhibits, market research, and technical assistance. Applications for the ATP will be accepted until November 2, 2018 or until funding is exhausted. Funding should be allocated to eligible participants in early 2019. The ATP is meant to help all sectors of U.S. agriculture, including fish and forest product producers, mainly through partnerships with non-profit national and regional organizations.

<i>Agricultural Trade Promotion Program</i>	
	Est. Amount (in \$1,000s)
Ag Products Total	\$200,000

###

Peter Bachmann



Senior Advisor to the Secretary
Farm Production, Conservation, and Trade

United States Department of Agriculture
Office: (202) 260-8026
Cell: (b) (6)

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From: [Edmiston, Suanne](#)
To: ["Bachmann, Peter - OCR, Washington, DC"](#)
Subject: RE: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation
Date: Wednesday, August 29, 2018 6:44:02 PM

Hi Peter,

I was hoping you could help me with two questions regarding the announcement.

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Legislative Director
Office of Congressman Steve King (IA-04)
(202) 225 - 4426

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Grapefruit	\$700
Grapes	\$48,200
Hazelnuts	\$2,100
Kidney Beans	\$14,200
Lemons/Limes	\$3,400
Lentils	\$1,800
Macadamia	\$7,700
Navy Beans	\$18,000
Oranges (Fresh)	\$55,600
Orange Juice	\$24,000
Peanut Butter	\$12,300
Pears	\$1,400
Peas	\$11,800
Pecans	\$16,000
Pistachios	\$85,200
Plums/Prunes	\$18,700
Pork	\$558,800
Potatoes	\$44,500
Rice	\$48,100
Strawberries	\$1,500
Sweet Corn	\$2,400
Walnuts	\$34,600
Total	\$1,238,800

Program details yet to be determined

Commodity	Target Amount (in \$1,000s)
Almonds	\$63,300
Sweet Cherries	\$111,500
Total	\$174,800

Products purchased will be distributed by FNS to participating states, for use in TEFAP and other USDA nutrition assistance programs.

Purchasing:

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<i>Agricultural Trade Promotion Program</i>	
	Est. Amount (in \$1,000s)
Ag Products Total	\$200,000

###

Peter Bachmann



Senior Advisor to the Secretary
Farm Production, Conservation, and Trade

United States Department of Agriculture
Office: (202) 260-8026
Cell: (b) (6)

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To: ["ken.barbic@osec.usda.gov"](mailto:ken.barbic@osec.usda.gov)
Subject: FW: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation
Date: Wednesday, August 29, 2018 7:04:32 PM

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Cc: Barbic, Ken - OSEC, Washington, DC
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What: Discussion of USDA Trade Mitigation Package Details

When: 5:30 PM ET TODAY

In order to access the conference as a participant, dial the number below and enter the Participant Code:

Participant Dial-In: (b) (6)

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USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation

(Washington, D.C., August 27, 2018) – U.S. Secretary of Agriculture Sonny Perdue today announced details regarding actions the U.S. Department of Agriculture (USDA) will take to assist farmers in response to trade damage from unjustified retaliation by foreign nations. President Donald J. Trump directed Secretary Perdue to craft a short-term relief strategy to protect agricultural producers while the Administration works on free, fair, and reciprocal trade deals to open more markets in the long run to help American farmers compete globally. As [announced last month](#), USDA will authorize up to \$12 billion in programs, consistent with our World Trade Organization obligations.

"Early on, the President instructed me, as Secretary of Agriculture, to make sure our farmers did not bear the brunt of unfair retaliatory tariffs. After careful analysis by our team at USDA, we have formulated our strategy to mitigate the trade damages sustained by our farmers. Our farmers work hard, and are the most productive in the world, and we aim to protect them," said Secretary Perdue.

These programs will assist agricultural producers to meet the costs of disrupted markets:

- USDA's Farm Service Agency (FSA) will administer the Market Facilitation Program (MFP) to provide payments to corn, cotton, dairy, hog, sorghum, soybean and wheat producers starting September 4, 2018. This is the first payment period. The second payment period, if warranted, will be determined by USDA.
- USDA's Agricultural Marketing Service (AMS) will administer a Food Purchase and Distribution Program to purchase up to \$1.2 billion in commodities unfairly targeted by unjustified retaliation. USDA's Food and Nutrition Service (FNS) will distribute these commodities through nutrition assistance programs such as The Emergency Food Assistance Program (TEFAP) and child nutrition programs.
- Through the Foreign Agricultural Service's (FAS) Agricultural Trade Promotion Program (ATP), \$200 million will be made available to develop foreign markets for U.S. agricultural products. The program will help U.S. agricultural exporters identify and access new markets and help mitigate the adverse effects of other countries' restrictions.

"President Trump has been standing up to China and other nations, sending the clear message that the United States will no longer tolerate their unfair trade practices, which include non-tariff trade barriers and the theft of intellectual property. In short, the President has taken

action to benefit all sectors of the American economy – including agriculture – in the long run,” **said Secretary Perdue**. “It’s important to note all of this could go away tomorrow, if China and the other nations simply correct their behavior. But in the meantime, the programs we are announcing today buys time for the President to strike long-lasting trade deals to benefit our entire economy.”

Background on Market Facilitation Program:

MFP is established under the statutory authority of the Commodity Credit Corporation (CCC) and administered by FSA. For each commodity covered, the payment rate will be dependent upon the severity of the trade disruption and the period of adjustment to new trade patterns, based on each producer’s actual production.

Interested producers can apply after harvest is 100 percent complete and they can report their total 2018 production. Beginning September 4th of this year, MFP applications will be available online at www.farmers.gov/MFP. Producers will also be able to submit their MFP applications in person, by email, fax, or by mail.

Eligible applicants must have an ownership interest in the commodity, be actively engaged in farming, and have an average adjusted gross income (AGI) for tax years 2014, 2015, and 2016 of less than \$900,000. Applicants must also comply with the provisions of the “Highly Erodible Land and Wetland Conservation” regulations. On September 4, 2018, the first of two MFP payment periods will begin. The second payment period, if warranted, will be determined by the CCC.

Market Facilitation Program

Commodity	Initial Payment Rate	Est. Initial Payment** (in \$1,000s)
Cotton	\$0.06 / lb.	\$276,900
Corn	\$0.01 / bu.	\$96,000
Dairy (milk)	\$0.12 / cwt.	\$127,400
Pork (hogs)	\$8.00 / head	\$290,300
Soybeans	\$1.65 / bu.	\$3,629,700
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Total		\$4,696,300

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The amounts of commodities to be purchased are based on an economic analysis of the damage caused by unjustified tariffs imposed on the crops listed below. Their damages will be adjusted based on several factors and spread over several months in response to orders placed by states participating in the FNS nutrition assistance programs.

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Commodity	Target Amount (in \$1,000s)
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Beef	\$14,800
Blueberries	\$1,700
Cranberries	\$32,800
Dairy	\$84,900
Figs	\$15
Grapefruit	\$700
Grapes	\$48,200
Hazelnuts	\$2,100
Kidney Beans	\$14,200
Lemons/Limes	\$3,400
Lentils	\$1,800
Macadamia	\$7,700
Navy Beans	\$18,000
Oranges (Fresh)	\$55,600
Orange Juice	\$24,000
Peanut Butter	\$12,300
Pears	\$1,400
Peas	\$11,800
Pecans	\$16,000
Pistachios	\$85,200
Plums/Prunes	\$18,700
Pork	\$558,800
Potatoes	\$44,500
Rice	\$48,100
Strawberries	\$1,500
Sweet Corn	\$2,400
Walnuts	\$34,600
Total	\$1,238,800

Program details yet to be determined

Commodity	Target Amount (in \$1,000s)
Almonds	\$63,300
Sweet Cherries	\$111,500
Total	\$174,800

Products purchased will be distributed by FNS to participating states, for use in TEFAP and other USDA nutrition assistance programs.

Purchasing:

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Agricultural Trade Promotion Program

	Est. Amount (in \$1,000s)
Ag Products Total	\$200,000

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Agricultural Trade Promotion Program

	Est. Amount (in \$1,000s)
Ag Products Total	\$200,000

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Peter Bachmann



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To: [Bachmann, Peter - OCR, Washington, DC](#)
Subject: Re: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation
Date: Wednesday, August 29, 2018 9:52:56 PM

Hello Peter,

This helps a lot! Thank you for your prompt reply. The provided information was really helpful. These are the two I couldn't figure out yet - so really appreciate this information.

Thank you,

Suanne

Suanne Edmiston
Legislative Director
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On Aug 29, 2018, at 9:49 PM, Bachmann, Peter - OCR, Washington, DC
<Peter.Bachmann@osec.usda.gov> wrote:

Hi Suanne,

For your first question, the answer unfortunately, is no. We are only making payments to producers that had risk in hog ownership/beneficial interest. Therefore contract growers are not eligible (because the integrator pays them a contracted rate regardless of what's happening in the market place).

For your second question, those folks that have no crop harvested are also not eligible. Producers are only eligible for the crop they bring out of the field and have some way of verifying production records for (bin measurements, scale receipts, combine data, etc.). Producers with significant yield or quality losses should have those losses covered by crop insurance.

Hope this helps!

Peter

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<Suanne.Edmiston@mail.house.gov> wrote:

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USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation

(Washington, D.C., August 27, 2018) – U.S. Secretary of Agriculture Sonny Perdue today announced details regarding actions the U.S. Department of Agriculture (USDA) will take to assist farmers in

response to trade damage from unjustified retaliation by foreign nations. President Donald J. Trump directed Secretary Perdue to craft a short-term relief strategy to protect agricultural producers while the Administration works on free, fair, and reciprocal trade deals to open more markets in the long run to help American farmers compete globally. As [announced last month](#), USDA will authorize up to \$12 billion in programs, consistent with our World Trade Organization obligations.

“Early on, the President instructed me, as Secretary of Agriculture, to make sure our farmers did not bear the brunt of unfair retaliatory tariffs. After careful analysis by our team at USDA, we have formulated our strategy to mitigate the trade damages sustained by our farmers. Our farmers work hard, and are the most productive in the world, and we aim to protect them,” said Secretary Perdue.

These programs will assist agricultural producers to meet the costs of disrupted markets:

- USDA’s Farm Service Agency (FSA) will administer the Market Facilitation Program (MFP) to provide payments to corn, cotton, dairy, hog, sorghum, soybean and wheat producers starting September 4, 2018. This is the first payment period. The second payment period, if warranted, will be determined by USDA.
- USDA’s Agricultural Marketing Service (AMS) will administer a Food Purchase and Distribution Program to purchase up to \$1.2 billion in commodities unfairly targeted by unjustified retaliation. USDA’s Food and Nutrition Service (FNS) will distribute these commodities through nutrition assistance programs such as The Emergency Food Assistance Program (TEFAP) and child nutrition programs.
- Through the Foreign Agricultural Service’s (FAS) Agricultural Trade Promotion Program (ATP), \$200 million will be made available to develop foreign markets for U.S. agricultural products. The program will help U.S. agricultural exporters identify and access new markets and help mitigate the adverse effects of other countries’ restrictions.

“President Trump has been standing up to China and other nations, sending the clear message that the United States will no longer tolerate their unfair trade practices, which include non-tariff trade barriers and the theft of intellectual property. In short, the President has taken action to benefit all sectors of the American economy – including agriculture – in the long run,” **said Secretary Perdue**. “It’s important to note all of this could go away tomorrow, if China and the other nations simply correct their behavior. But in the meantime, the programs we are announcing today buys time for the President to strike long-lasting trade deals to benefit our entire economy.”

Background on Market Facilitation Program:

MFP is established under the statutory authority of the Commodity Credit Corporation (CCC) and administered by FSA. For each commodity covered, the payment rate will be dependent upon the severity of the trade disruption and the period of adjustment to new trade patterns, based on each producer’s actual production.

Interested producers can apply after harvest is 100 percent complete and they can report their total 2018 production. Beginning September 4th of this year, MFP applications will be available online at www.farmers.gov/MFP. Producers will also be able to submit their MFP applications in person, by email, fax, or by mail.

Eligible applicants must have an ownership interest in the commodity, be actively engaged in farming, and have an average adjusted gross income (AGI) for tax years 2014, 2015, and 2016 of less than \$900,000. Applicants must also comply with the provisions of the "Highly Erodible Land and Wetland Conservation" regulations. On September 4, 2018, the first of two MFP payment periods will begin. The second payment period, if warranted, will be determined by the CCC.

Market Facilitation Program

Commodity	Initial Payment Rate	Est. Initial Payment** (in \$1,000s)
Cotton	\$0.06 / lb.	\$276,900
Corn	\$0.01 / bu.	\$96,000
Dairy (milk)	\$0.12 / cwt.	\$127,400
Pork (hogs)	\$8.00 / head	\$290,300
Soybeans	\$1.65 / bu.	\$3,629,700
Sorghum	\$0.86 / bu.	\$156,800
Wheat	\$0.14 / bu.	\$119,200
Total		\$4,696,300

** Initial payment rate on 50% of production

The initial MFP payment will be calculated by multiplying 50 percent of the producer's total 2018 actual production by the applicable MFP rate. If CCC announces a second MFP payment period, the remaining 50 percent of the producer's total 2018 actual production will be subject to the second MFP payment rate.

MFP payments are capped per person or legal entity at a combined \$125,000 for dairy production or hogs. Payment for dairy production is based off the historical production reported for the Margin Protection Program for Dairy (MPP-Dairy). For existing dairy operations, the production history is established using the highest annual milk production marketed during the full calendar years of 2011, 2012, and 2013. Dairy operations are also required to have been in operation on June 1, 2018 to be eligible for payments. Payment for hog operations will be based off the total number of head of live hogs owned on August 1, 2018.

MFP payments are also capped per person or legal entity at a combined \$125,000 for corn, cotton, sorghum, soybeans and wheat.

For more information on the MFP visit www.farmers.gov/MFP or contact your local FSA office, which can be found at www.farmers.gov.

Background on Food Purchase and Distribution Program:

The amounts of commodities to be purchased are based on an

economic analysis of the damage caused by unjustified tariffs imposed on the crops listed below. Their damages will be adjusted based on several factors and spread over several months in response to orders placed by states participating in the FNS nutrition assistance programs.

Food Purchases

Commodity	Target Amount (in \$1,000s)
Apples	\$93,400
Apricots	\$200
Beef	\$14,800
Blueberries	\$1,700
Cranberries	\$32,800
Dairy	\$84,900
Figs	\$15
Grapefruit	\$700
Grapes	\$48,200
Hazelnuts	\$2,100
Kidney Beans	\$14,200
Lemons/Limes	\$3,400
Lentils	\$1,800
Macadamia	\$7,700
Navy Beans	\$18,000
Oranges (Fresh)	\$55,600
Orange Juice	\$24,000
Peanut Butter	\$12,300
Pears	\$1,400
Peas	\$11,800
Pecans	\$16,000
Pistachios	\$85,200
Plums/Prunes	\$18,700
Pork	\$558,800
Potatoes	\$44,500
Rice	\$48,100
Strawberries	\$1,500
Sweet Corn	\$2,400
Walnuts	\$34,600
Total	\$1,238,800

Program details yet to be determined

Commodity	Target Amount (in \$1,000s)
Almonds	\$63,300
Sweet Cherries	\$111,500
Total	\$174,800

Products purchased will be distributed by FNS to participating states,

for use in TEFAP and other USDA nutrition assistance programs.

Purchasing:

AMS will buy affected products in four phases. The materials purchased can be adjusted between phases to accommodate changes due to: growing conditions; product availability; market conditions; trade negotiation status; and program capacity.

AMS will purchase known commodities first. By purchasing in phases, procurements for commodities that have been sourced in the past can be purchased more quickly and included in the first phase.

Vendor Outreach:

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Product Specifications:

AMS maintains purchase specifications for a variety of commodities, which ensure recipients receive the high-quality product they expect. AMS in collaboration with FNS regularly develops and revises specifications for new and enhanced products based on program requirements and requests and will be prioritizing the development of those products impacted by unjustified retaliation. AMS will also work with industry groups to identify varieties and grades sold to China and other offshore markets such as premium apples, oranges, pears and other products. AMS will develop or revise specifications to facilitate the purchase of these premium varieties in forms that meet the needs of FNS nutrition assistance programs.

Outlets:

AMS purchases commodities for use in FNS programs such as the National School Lunch Program, TEFAP and other nutrition assistance programs. AMS is working closely with FNS to distribute products to State Agencies that participate in USDA nutrition assistance programs as well as exploring other outlets for distribution of products, as needed.

To the extent possible, FNS will identify items for distribution that are appropriate for each potential outlet. The products discussed in this plan will be distributed to States for use in the network of food banks and food pantries that participate in TEFAP, elderly feeding programs such the Commodity Supplemental Foods Program, and tribes that operate the Food Distribution Program on Indian Reservations.

These outlets are in addition to child nutrition programs such as the National School Lunch Program, which may also benefit from these

purchases.

Distribution:

AMS has coordinated with the Office of the Chief Economist, FNS, Industry, and other agency partners to determine necessary logistics for the purchase and distribution of each commodity including trucking, inspection and audit requirements, and agency staffing.

Background on Agricultural Trade Promotion Program:

The FAS will administer the ATP under authorities of the CCC. The ATP will provide cost-share assistance to eligible U.S. organizations for activities such as consumer advertising, public relations, point-of-sale demonstrations, participation in trade fairs and exhibits, market research, and technical assistance. Applications for the ATP will be accepted until November 2, 2018 or until funding is exhausted. Funding should be allocated to eligible participants in early 2019. The ATP is meant to help all sectors of U.S. agriculture, including fish and forest product producers, mainly through partnerships with non-profit national and regional organizations.

Agricultural Trade Promotion Program

	Est. Amount (in \$1,000s)
Ag Products Total	\$200,000

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Peter Bachmann

Senior Advisor to the Secretary
Farm Production, Conservation, and Trade

<image001.jpg>

United States Department of Agriculture
Office: (202) 260-8026
Cell: (b) (6)

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From: [Edmiston, Suanne](#)
To: [Bachmann, Peter - OCR, Washington, DC](#)
Subject: Re: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation
Date: Wednesday, August 29, 2018 9:53:29 PM

Hello Peter,

This helps a lot! Thank you for your prompt reply. The provided information was really helpful. These are the two I couldn't figure out yet - so really appreciate this information.

Thank you,

Suanne

Suanne Edmiston
Legislative Director
Office of Congressman Steve King (IA-04)
(202) 225 - 4426

On Aug 29, 2018, at 9:49 PM, Bachmann, Peter - OCR, Washington, DC
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On Aug 29, 2018, at 5:44 PM, Edmiston, Suanne
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From: Bachmann, Peter - OCR, Washington, DC
[mailto:Peter.Bachmann@osec.usda.gov]
Sent: Monday, August 27, 2018 2:19 PM
Cc: Barbic, Ken - OSEC, Washington, DC
Subject: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation

Good afternoon,

As you've probably heard, USDA is moving forward with rollout of additional details regarding agricultural trade mitigation for farmers and ranchers. USDA will be hosting a call today at 5:30 PM ET with the opportunity for moderated Q&A with our in-house experts.

Who: USDA Call with House and Senate Agricultural Staffers
What: Discussion of USDA Trade Mitigation Package Details
When: 5:30 PM ET TODAY

In order to access the conference as a participant, dial the number below and enter the Participant Code:

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Agricultural Trade Promotion Program

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Ag Products Total	\$200,000

###

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<image001.jpg>

United States Department of Agriculture
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To: ["Bachmann, Peter - OCR, Washington, DC"](#)
Subject: RE: Call TODAY with USDA: USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation
Date: Thursday, August 30, 2018 1:03:16 PM

Hi Peter,

Thank you again for your response. I have one more question: for the purposes of the Market Facilitation Program, will popcorn be considered as corn as a commodity?

Sincerely,

Suanne

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**** Initial payment rate on 50% of production**

The initial MFP payment will be calculated by multiplying 50 percent of the producer’s total 2018 actual production by the applicable MFP rate. If CCC announces a second MFP payment period, the remaining 50 percent of the producer’s total 2018 actual production will be subject to the second MFP payment rate.

MFP payments are capped per person or legal entity at a combined

\$125,000 for dairy production or hogs. Payment for dairy production is based off the historical production reported for the Margin Protection Program for Dairy (MPP-Dairy). For existing dairy operations, the production history is established using the highest annual milk production marketed during the full calendar years of 2011, 2012, and 2013. Dairy operations are also required to have been in operation on June 1, 2018 to be eligible for payments. Payment for hog operations will be based off the total number of head of live hogs owned on August 1, 2018.

MFP payments are also capped per person or legal entity at a combined \$125,000 for corn, cotton, sorghum, soybeans and wheat.

For more information on the MFP visit www.farmers.gov/MFP or contact your local FSA office, which can be found at www.farmers.gov.

Background on Food Purchase and Distribution Program:

The amounts of commodities to be purchased are based on an economic analysis of the damage caused by unjustified tariffs imposed on the crops listed below. Their damages will be adjusted based on several factors and spread over several months in response to orders placed by states participating in the FNS nutrition assistance programs.

Food Purchases

Commodity	Target Amount (in \$1,000s)
Apples	\$93,400
Apricots	\$200
Beef	\$14,800
Blueberries	\$1,700
Cranberries	\$32,800
Dairy	\$84,900
Figs	\$15
Grapefruit	\$700
Grapes	\$48,200
Hazelnuts	\$2,100
Kidney Beans	\$14,200
Lemons/Limes	\$3,400
Lentils	\$1,800
Macadamia	\$7,700
Navy Beans	\$18,000
Oranges (Fresh)	\$55,600
Orange Juice	\$24,000
Peanut Butter	\$12,300
Pears	\$1,400
Peas	\$11,800
Pecans	\$16,000
Pistachios	\$85,200
Plums/Prunes	\$18,700
Pork	\$558,800

Potatoes	\$44,500
Rice	\$48,100
Strawberries	\$1,500
Sweet Corn	\$2,400
Walnuts	\$34,600
Total	\$1,238,800

Program details yet to be determined

Commodity	Target Amount (in \$1,000s)
Almonds	\$63,300
Sweet Cherries	\$111,500
Total	\$174,800

Products purchased will be distributed by FNS to participating states, for use in TEFAP and other USDA nutrition assistance programs.

Purchasing:

AMS will buy affected products in four phases. The materials purchased can be adjusted between phases to accommodate changes due to: growing conditions; product availability; market conditions; trade negotiation status; and program capacity.

AMS will purchase known commodities first. By purchasing in phases, procurements for commodities that have been sourced in the past can be purchased more quickly and included in the first phase.

Vendor Outreach:

To expand the AMS vendor pool and the ability to purchase new and existing products, AMS will ramp up its vendor outreach and registration efforts. AMS has also developed flyers on how the process works and how to become a vendor for distribution to industry groups and interested parties. Additionally, AMS will continue to host a series of free webinars describing the steps required to become a vendor. Stakeholders will have the opportunity to submit questions to be answered during the webinar, or to be included in a Frequently Asked Questions document. Recorded webinars are available to review by potential vendors, and staff will host periodic Question and Answer teleconferences to better explain the process.

Product Specifications:

AMS maintains purchase specifications for a variety of commodities, which ensure recipients receive the high-quality product they expect. AMS in collaboration with FNS regularly develops and revises specifications for new and enhanced products based on program requirements and requests and will be prioritizing the development of those products impacted by unjustified retaliation. AMS will also work with industry groups to identify varieties and grades sold to China and other offshore markets such as premium apples, oranges, pears and other products. AMS will develop or revise specifications to facilitate the purchase of these premium varieties in forms that meet the needs of FNS nutrition assistance programs.

Outlets:

AMS purchases commodities for use in FNS programs such as the National School Lunch Program, TEFAP and other nutrition assistance programs. AMS is working closely with FNS to distribute products to State Agencies that participate in USDA nutrition assistance programs as well as exploring other outlets for distribution of products, as needed.

To the extent possible, FNS will identify items for distribution that are appropriate for each potential outlet. The products discussed in this plan will be distributed to States for use in the network of food banks and food pantries that participate in TEFAP, elderly feeding programs such the Commodity Supplemental Foods Program, and tribes that operate the Food Distribution Program on Indian Reservations.

These outlets are in addition to child nutrition programs such as the National School Lunch Program, which may also benefit from these purchases.

Distribution:

AMS has coordinated with the Office of the Chief Economist, FNS, Industry, and other agency partners to determine necessary logistics for the purchase and distribution of each commodity including trucking, inspection and audit requirements, and agency staffing.

Background on Agricultural Trade Promotion Program:

The FAS will administer the ATP under authorities of the CCC. The ATP will provide cost-share assistance to eligible U.S. organizations for activities such as consumer advertising, public relations, point-of-sale demonstrations, participation in trade fairs and exhibits, market research, and technical assistance. Applications for the ATP will be accepted until November 2, 2018 or until funding is exhausted. Funding should be allocated to eligible participants in early 2019. The ATP is meant to help all sectors of U.S. agriculture, including fish and forest product producers, mainly through partnerships with non-profit national and regional organizations.

Agricultural Trade Promotion Program

	Est. Amount (in \$1,000s)
Ag Products Total	\$200,000

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Peter Bachmann

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